

**RECD/PROMPT 04 SEP 2007**

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## FACSIMILE TRANSMITTAL SHEET

Including this transmittal sheet, document consists of 07 pages.

Today's Date: Tuesday, September 04, 2007 11:46:22 AM

**RECIPIENT INFORMATION:**

TO: Vonda M. Wallace FIRM: USPTO  
FACSIMILE NUMBER: 571 270 9861

**SENDER'S INFORMATION:**

FROM: Christopher Stow  
VOICE NUMBER: 617-439-2541 FACSIMILE NUMBER: 617-310-9541

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**COMMENTS:**

Ms. Wallace,

Please see the attached remarks. I will call to confirm receipt  
later today.

Regards,

Chris Stow

## STATEMENT OF CONFIDENTIALITY

The documents included with this facsimile transmittal sheet contain information from the law firm of Nutter, McClellan & Fish, LLP which is confidential and/or privileged. This information is intended to be for the use of the addressee named on this transmittal sheet. If you are not the addressee, note that any disclosure, photocopying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone (collect) immediately so that we can arrange for the retrieval of the original documents at no cost to you.

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Client: 0107780 Matter: 00001

Recd PTO 04 SEP 2007

Docket No.: 107780-123  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Thomas Chan

Application No.: 10/564,199

Filed: July 9, 2004

For: PHARMACEUTICAL COMPOSITIONS FOR  
TOPICAL APPLICATION

Confirmation No.: 7502

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATUS INQUIRY AND REMARKS**

Dear Sir:

It is respectfully requested that the attorney named below be advised of the status of the Revocation of Power of Attorney and Appointment of New Power of Attorney filed on June 15, 2007 in the above reference application. A copy of the Revocation of Power of Attorney and Appointment of New Power of Attorney, Appendix A to the Revocation and Appointment, and Statement Under 37 CF 3.73(b) are attached.

A Notification of Missing Requirements Under 35 U.S.C. 371 was mailed in this application on July 10, 2006. On October 10, 2006, Applicant's attorneys, Mayer, Brown, Rowe & Maw LLP filed an Application Transmittal Form including all necessary documents except the requested "Sequence Listing" documents and Amendment. The application may have gone abandoned on February 10, 2007 due to the failure to file the requested "Sequence Listing" documents.

On March 1, 2007, prosecution of the above reference application was transferred to Nutter McClellan & Fish LLP. After reviewing the disclosure of the above referenced

application, we do not believe a "Sequence Listing" is required. The disclosure does not contain any nucleotide or amino acid sequences, and therefore does not require a "Sequence Listing" to comply with 37 CFR 1.821-1.825. Applicant respectfully submits that the request for "Sequence Listing" documents in the Notification of Missing Requirements Under 35 U.S.C. 371 mailed on July 10, 2006 was made in error. Applicants response filed on October 10, 2006 therefore completely satisfies the requirements under 35 U.S.C. 371.

In view of the above, Applicant requests that the Commissioner enter the previously filed response to the Notification of Missing Requirements Under 35 U.S.C. 371 of the above reference application.

Dated: Sept. 4, 2007

Respectfully submitted,

By   
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1662505.1

Atty Docket No.: 107780

Inventor: See Appendix A

Application No.: See Appendix A  
Title: See Appendix A

Filing Date: See Appendix A

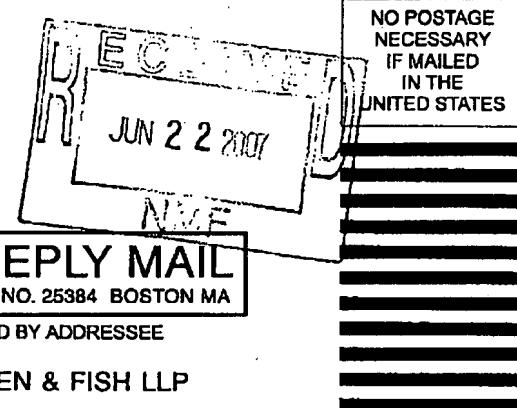
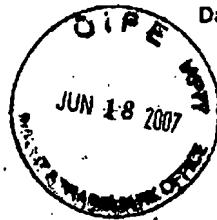
## Documents Filed:

Revocation of Power of Attorney and Appointment of New Power of Attorney (1 page) with attached Appendix A (1 page)  
Statement Under 37 CFR 3.73(b) with attached Appendix A (1 page)  
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